



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 20, 2023

**BY ECF**

The Honorable Andrew L. Carter, Jr.  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, NY 10007

USDC SDNY  
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**Re: *United States v. Joseph Anderson, 23 Cr. 17 (ALC)***

Dear Judge Carter:

In the above-captioned matter, the Government respectfully requests that the time between January 20, 2023 and the initial pretrial conference scheduled for February 9, 2023 be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

The defendant was indicted on January 12, 2023, *see* ECF No. 9. On Tuesday, January 17, 2023, Your Honor scheduled an initial pretrial conference for February 9, 2023 at 12:30 p.m, and directed the parties to have the defendant arraigned in magistrate court prior to the initial conference. The defendant's arraignment was scheduled to proceed in magistrate court today, January 20, 2023. However, today's appearance has been cancelled because the defendant's housing unit at the Metropolitan Detention Center has had an exposure to COVID-19. The parties will make arrangements to have the defendant's arraignment rescheduled in magistrate court. However, given the delay, the Government seeks the aforementioned exclusion of time.

Although it is the Government's position that the Speedy Trial clock does not begin to run until the date the defendant is arraigned (as opposed to the date of indictment), out of an abundance of caution, the Government seeks the proposed exclusion between today and February 9, 2023, the date of the initial pretrial conference. The Government respectfully submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow the Government time to prepare and produce discovery, the defendant time to review such discovery, and the parties an opportunity

to begin discussing a possible pretrial resolution of this case. Defense counsel has informed me that she consents to this request.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/ William C. Kinder  
William C. Kinder  
Assistant United States Attorney  
Southern District of New York  
(212) 637-2257  
William.Kinder@usdoj.gov

cc (by ECF): Lorraine Gauli-Rufo, Esq.

The application is **GRANTED**. Status conference set for 2/9/23 at 12:30 p.m.  
Time excluded from 1/20/23 to 2/9/23 in the interest of justice.

So Ordered.



1/20/23